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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/759,183	01/12/2001	Yoichiro Igarashi	FUJR 18.213	9980

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New York, NY 10022-2585

EXAMINER
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QURESHI, SHABANA

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 05/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/759,183

Applicant(s)

IGARASHI ET AL.

Examiner

Shabana Qureshi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Information Disclosure Statement*

1. The information disclosure statement (IDS) submitted on 1/12/01 was received. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### *Priority*

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Vladimir Alperovich et al (US 6,038,445).

As per claim 1, Alperovich et al teach a network system which controls communication between a user terminal and a peer terminal thereof over a network including a mobile domain, comprising:

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(a) a home agent, coupled to the peer terminal, which maintains the location of the user terminal and tunnels packets for delivery to the user terminal (column 3, lines 35-39; column 3, lines 45-54);

(b) a foreign agent which detunnels and delivers the packets to the user terminal that is visiting a foreign network (column 3, lines 45-54, visiting mobile switching center);

(c) a service control database which maintains a customizable service profile defining what class of service to provide to the user terminal (column 3, lines 35-39; column 4, lines 14-33, HLR);

(d) a home server located in a first administrative domain to which the user terminal belongs (column 3, lines 35-39; column 3, lines 45-54, home PLMN; column 4, lines 14-33, HLR), comprising:

- service profile setting means for retrieving the service profile from said service control database when the user terminal initiates a communication session (column 7, lines 36-67), and distributing and setting the retrieved service profile to said home agent and foreign agent as an initial service profile (column 7, lines 36-67), and
- service profile updating means for generating an event signal when a control condition described in the retrieved service profile is met, obtaining a new service profile from said service control database in response to the event signal, and distributing the new service profile so as to replace the initial service profile being set in said home agent and foreign agent (column 7, lines 36-67); and

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- (e) a foreign server located in a second administrative domain, which forwards the initial service profile and new service profile from said home server to said foreign agent (column 3, lines 45-53, visiting PLMN).

As per claim 2, Alperovich et al teach the network system according to claim 1, wherein said home server generates the event signal for the update of the service profile by detecting at least one of:

- an event related to user authentication (column 3, lines 45-54),
- an event related to authorized use of network resources (column 3, lines 45-54), and
- an event related to accounting functions (column 4, lines 30-34).

As per claim 3, Alperovich et al teach the network system according to claim 1, further comprising a network control mechanism, which informs said home server of an event that is detected therein, while supervising and managing the network (column 3, line 55 – column 4, line 13, Gateway Mobile Switching Center (GMSC)).

As per claim 4, Alperovich et al teach the network system according to claim 3, wherein said service profile updating means in said home server obtains and distributes the new service profile in response to the event informed by said network control mechanism (column 8, lines 42-54).

As per claim 5, Alperovich et al teach the network system according to claim 1, wherein said home agent performs route optimization when a packet from the peer terminal is intercepted and tunneled to the user terminal, keeps a record about the peer terminal that has been subjected to the route optimization, and refers to the record to identify the peer terminal when a service profile change request is received from said home server (column 4, lines 5-10).

As per claim 6, Alperovich et al teach the network system according to claim 1, wherein said home server allocates said home agent when the user terminal initiates the communication session (column 13, lines 45-53, HLR).

As per claim 7, Alperovich et al teach the network system according to claim 6, further comprising another foreign agent located within the second administrative domain, and which sends a service profile change request message to the user terminal's previous foreign agent when the user terminal has moved and registered with said another foreign agent (column 4, lines 13-33).

As per claim 8, Alperovich et al teach the network system according to claim 6, further comprising:

- another foreign server which covers a third administrative domain (column 4, lines 14-33), and
- another foreign agent which is located within the third administrative domain,
- wherein said home server sends a service profile change request message to both the user terminal's previous foreign server and said another foreign server when the user terminal has moved and registered with said another foreign agent (column 4, lines 14-33).

As per claim 9, Alperovich et al teach the network system according to claim 1, wherein said foreign server allocates said home agent when the user terminal initiates the communication session (column 5, lines 1-24).

As per claim 10, Alperovich et al teach the network system according to claim 9, further comprising another foreign agent which is located within the second administrative domain, and which sends a service profile change request message to the user terminal's previous foreign

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agent when the user terminal has moved and registered with said another foreign agent (column 7, lines 41-67).

As per claim 11, Alperovich et al teach the network system according to claim 9, further comprising:

- another foreign server which is located in a third administrative domain (column 4, lines 14-33), and
- another foreign agent which covers another foreign network within the third administrative domain (column 4, lines 14-33),
- wherein said home server sends a service profile change request message to both the user terminal's previous foreign server and said another foreign server when the user terminal has moved and registered with said another foreign agent (column 4, lines 14-33).

As per claim 12, Alperovich et al teach the network system according to claim 1, further comprising:

- an address translation server which provides a service using predetermined address translation rules (column 7, lines 47-56; column 8, lines 21-41),
- wherein said service profile updating means in said home server produces and distributes the new service profile when an event related to the address translation rules occurs during the service (column 7, lines 47-56; column 8, lines 21-41).

As per claim 13, Alperovich et al teach the network system according to claim 1, further comprising conflict avoiding means for avoiding a conflict between said service profile updating means activated by the event signal detected in said home server and a person who is

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attempting to modify the service profile stored in said service control database (column 8, lines 10-19).

As per claim 14, Alperovich et al teach the network system according to claim 13, wherein said conflict avoiding means deactivates the event signal in case of conflict, and after the modification of the service profile is finished, redistributes the service profile and reactivates the event signal (column 8, lines 10-19).

As per claim 15, Alperovich et al teach a service control database comprising:

- service profile storage means for storing a customizable service profile defining what class of service to provide to a user terminal (column 3, lines 35-38, column 4, lines 14-33, HLR); and
- service profile management means for managing the service profile stored in said service profile storage means (column 3, lines 35-38, column 4, lines 14-33, HLR).

As per claim 16, Alperovich et al teach a home server located in an administrative domain to which a user terminal belongs, comprising:

- service profile setting means for retrieving a service profile from a service control database when the user terminal initiates a communication session, and distributing and setting the retrieved service profile to network nodes that tunnel and detunnel packets for delivery to the user terminal (column 7, lines 36-67); and
- service profile updating means for generating an event signal when a control condition described in the retrieved service profile is met, obtaining a new service profile from said service control database in response to the event signal, and distributing the new



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service profile so as to replace the initial service profile being set in the network nodes (column 7, lines 36-67).

As per claim 17, Alperovich et al teach a foreign server located in an administrative domain outside the home location of a user terminal, comprising:

- terminal service means for providing the user terminal with administrative service (column 3, lines 24-44); and
- service profile forwarding means for forwarding a service profile to a network node within the same administrative domain (column 3, lines 55-67).

As per claim 18, Alperovich et al teach a home agent located in an administrative domain to which a user terminal belong, comprising:

- peer terminal interface means for interfacing with a peer terminal communicating with the user terminal (column 3, lines 30-35);
- tunneling control means for maintaining the location of the user terminal that is visiting a foreign network, and tunneling packet for delivery to the user terminal (column 3, lines 45-54); and
- service profile updating means for updating a service profile which defines what class of service to offer to the user terminal (column 4, lines 14-33).

As per claim 19, Alperovich et al teach a foreign agent located in an administrative domain outside the home location of a user terminal, comprising:

- terminal service means for providing the user terminal with administrative service (column 3, lines 24-44);

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- detunneling control means for tunneling packets for delivery to the user terminal (column 3, lines 45-54); and
- service profile updating means for updating a service profile (column 7, lines 36-67) which defines what class of service to offer to the user terminal (column 3, lines 30-33).

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shabana Qureshi whose telephone number is (703) 308-6118. The examiner can normally be reached on Monday - Friday, 8:30am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (703) 308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shabana Qureshi  
Examiner  
Art Unit 2155

SQ  
May 17, 2004

  
**HOSAIN ALAM**  
SUPERVISORY PATENT EXAMINER